GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:1209
ANSWERED ON:25.02.2003
SEXUAL HARASSMENT AT WORK PLACE
A.K. PREMAJAM

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether it is a fact that guidelines prescribed by the Supreme Court in the Vishaka Judgement are notbeing followed by many Government Departments/Universities/ Educational/Banking Institutions in the Public and Private Sector and Professional bodies;

(b) if so, the facts thereof;

(c) whether the Government have evolved any effective mechanism to implement the guidelines;

(d) if so, the details thereof;

(e) whether the Government have any plans to intoduce a comprehensive Bill to deal with the sexual harassment at work places;

(f) if so, the details thereof;

(g) whether National Human Rights Commission and NationalCommission of Women have given any recommendations in this regard; and

(h) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI JAS KAUR MEENA)

(a)&(b) Supreme Court's guidelines in Vishaka case are generally being followed.

(c)&(d) A statement is annexed.

(e),(f),(g)&(h) The NCW is in the processof drafting a Bill on Sexual Harassment of Women at their workplace, in consultation with State Commissions for Women and Non- Governmental Organisations.
ANNEXURE

STATEMENT IN RESPECT OF REPLY TO PART (c) & (d) OF LOK SABHA UNSTARRED QUESTION NO. 1209 FOR 25.2.2003 BY PROF. A.K. PREMAJAM REGARDING SEXUAL HARASSMENT AT WORK PLACE.

(c)&(d) The Government has taken a number of initiatives to give effect to the guidelines laid down by the Supreme Court, which have the force of law under Article 141 of the constitution of India. These include:

- The Government have requested all the Central Ministries/Departments, Chief Secretaries of all the State Governments/Union Territory Administrations, Universitites/Institutions, Central Board ofSecondary Education, All India Council of Technical Educationto constitute complaints committees and to ensure that the guideldines are implemented.

- NCW formulated a Code of Conduct for Work Place, putting down the Supreme Court's guidelines in a simple manner. This has been circulated to all State Commissions for women, Non-Governmental Organisations, the apex bodies ofthe Corporate Sector, Media and all Ministries and Departments.

- The NCW has instituted a series of interactive meetings withPublic Sector Undertakings/Banks/Universities/Educational Institutions/Hotels/Media etc. to assess the extent of implementation of the guidelines.

- A Central Committee headed by Secretary, Department of Women and Child Development has been constituted in the Department of Women and Child Development to ensure that the complaints committees are constituted in each unit and the guidelines are implemented by all concerned.

- Central Civil Services (Conduct) Rules have been amended to include sexual harassment as a misconduct.

- Amendments have been made to the Industrial Employment (Standing Orders) Act, 1946 so that sexual harassment of women at work place in the private sector could constitute an offence for which a workman is liabdsle for disciplinary action.